

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

Site Update Solutions LLC,	§	
Plaintiff	§	
v.	§	
Accor North America, Inc.;	§	Case No.2:10-cv-151
Adobe Systems, Incorporated;	§	
Amazon.com Inc.;	§	
American Broadcasting Companies, Inc.	§	
CBS Interactive Inc.;	§	
CDW;	§	
Choice Hotels International, Inc.;	§	
CNN Interactive Group, Inc.	§	
Deli Management, Inc.;	§	
Daily News L.P.;	§	
Electronic Arts, Inc.;	§	
Enterprise Rent-A-Car Company;	§	
Facebook, Inc.;	§	
Gannett Satellite Information Network, Inc.;	§	
Home Box Office, Inc.	§	
HSN, Inc.;	§	
Intuit, Inc.;	§	
Linkedin Corporation;	§	
Monster Worldwide, Inc.;	§	
Myspace, Inc.;	§	
MSNBC Interactive News LLC;	§	
NBC Universal, Inc.;	§	
Newegg, Inc.;	§	
Nissan North America, Inc.;	§	
Office Max, Inc.;	§	
Overstock.com;	§	
Red Hat, Inc.;	§	
Salesforce.com, Inc.;	§	
Sears, Roebuck and Co.;	§	
Staples, Inc.;	§	
Starwood Hotels & Resorts Worldwide, Inc.;	§	
Target Corporation;	§	
Thomson Reuters Holdings, Inc.;	§	
Ticketmaster L.L.C.;	§	
Time Inc.	§	
Wal-Mart Stores, Inc.;	§	
and		
Wyndham Worldwide, Inc.,		
Defendants		

**JURY TRIAL DEMANDED**

**PLAINTIFF'S THIRD AMENDED COMPLAINT**

Plaintiff, Site Update Solutions LLC (“Site Update Solutions”), files this Third Amended Complaint against Defendants, Accor North America, Inc. (“Accor”), Adobe Systems, Incorporated (“Adobe”), Amazon.com, Inc. (“Amazon”), American Broadcasting Companies, Inc. (“ABC”), CBS Interactive Inc. (“CBS”), CDW (“CDW”), Choice Hotels International, Inc. (“Choice Hotels”), CNN Interactive Group, Inc. (“CNN”), Daily News L.P. (“Daily News”), Deli Management, Inc. (“Deli Management”), Electronic Arts, Inc. (“Electronic Arts”), Enterprise Rent-A-Car Company (“Enterprise”), Facebook, Inc. (“Facebook”), Gannett Satellite Information Network, Inc. (“Gannett”), Home Box Office, Inc. (“HBO”), HSN, Inc. (“HSN”), Intuit, Inc. (“Intuit”), LinkedIn Corporation (“LinkedIn”), Monster Worldwide, Inc. (“Monster”), MSNBC Interactive News, LLC (“MSNBC”), Myspace, Inc. (“Myspace”), NBC Universal, Inc. (“NBC”), Newegg, Inc. (“Newegg”), Nissan North America, Inc. (“Nissan”), Office Max, Inc. (“Office Max”), Overstock.com, Inc. (“Overstock”), Red Hat, Inc. (“Red Hat”), Salesforce.com, Inc. (“Salesforce.com”), Sears, Roebuck and Co. (“Sears”), Staples, Inc. (“Staples”), Starwood Hotels & Resorts Worldwide, Inc. (“Starwood”), Target Corporation (“Target”), Thomson Reuters Holdings, Inc. (“Thomson”), Ticketmaster L.L.C. (“Ticketmaster”), Time Inc. (“Time”), Wal-Mart Stores, Inc. (“Wal-Mart”), and Wyndham Worldwide, Inc. (“Wyndham”) (collectively “Defendants”), and alleges as follows:

**THE PARTIES**

Site Update Solutions is a corporation organized and existing under the laws of the State of Texas, with its principal place of business at 6136 Frisco Square Blvd., Suite 400, Frisco, TX 75034.

1. Accor, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Accor is doing business in Texas, and on information and belief, has

a principal place of business at 4001 International Parkway, Carrollton, TX 75007. Accor may be served with process by serving its registered agent, CT Corporation System, 350 N. Saint Paul St., Dallas, TX 75201.

2. Adobe, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Adobe is doing business in Texas, and, on information and belief, has a principal place of business at 345 Park Avenue, San Jose, CA 95110. Adobe may be served with process by serving its registered agent, CSC – Lawyers Incorporating Service Company, 211 E. 7<sup>th</sup> St., Suite 620, Austin, TX 78701.
3. Amazon, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Amazon is doing business in Texas, and on information and belief, has a principal place of business at 1200 12<sup>th</sup> Ave. South, Suite 1200, Seattle, WA 98144. Amazon may be served with process by serving its registered agent, Corporation Service Company 2711 Centerville Rd. Ste. 400, Wilmington, DE 1988.
4. ABC, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. ABC is doing business in Texas, and on information and belief, has a principal place of business at 77 W. 66<sup>th</sup> St., New York, NY 10023. ABC may be served with process by serving its registered agent, Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808.
5. CBS, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. CBS is doing business in Texas, and on information and belief, has a principal place of business at CBS Headquarters, 51 W. 52<sup>nd</sup> Street, New York, NY 10019-6188. CBS may be served with process by serving its registered agent, Lawyers Incorporating Service Company, 211 E. 7<sup>th</sup> St., Ste. 620, Austin, TX 78701.

6. CDW, on information and belief, is a limited liability corporation organized and existing under the laws of the State of Illinois. CDW is doing business in Texas, and on information and belief, has a principal place of business at 200 N. Milwaukee Ave., Vernon Hills, IL 60061. CDW may be served with process by serving its registered agent, Illinois Corporation Service C, 801 Adlai Stevenson Dr., Springfield, IL 62703.
7. CNN, on information and belief, is a corporation organized and existing under the laws of the state of Delaware. CNN is doing business in Texas, and on information and belief, has a principal place of business at 1 CNN Center, Atlanta, GA 30303. CNN may be served with process by serving its registered agent, The Corporation Trust Company, Corporation Trust Center 1209 Orange Street, Wilmington, DE 19801.
8. Choice Hotels, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Choice Hotels is doing business in Texas, and on information and belief, has a principal place of business at 10750 Columbia Pike, Silver Spring, MD 20901. Choice Hotels may be served with process by serving its registered agent, United States Corporation Company, 211 E. 7<sup>th</sup> St. Ste. 620, Austin, TX 78701.
9. Daily News, on information and belief, is a limited partnership organized and existing under the laws of the State of Delaware. Daily News is doing business in Texas, and on information and belief, has a principal place of business at 450 W. 33<sup>rd</sup> St., New York, NY 10001. Daily News may be served with process by serving its registered agent, The Prentice-Hall Corporation System, Inc., 2711 Centerville Rd., Suite 400, Wilmington, DE 19808.
10. Deli Management, on information and belief, is a corporation organized and existing under the laws of the State of Texas. Deli Management is doing business in Texas, and,

on information and belief, has a principal place of business at 2400 Broadway Street, Beaumont, TX 78701. Deli Management may be served with process by serving its registered agent, CT Corporation System, 350 N Saint Paul St. Ste 2900, Dallas, TX 75201-4234.

11. Electronic Arts, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Electronic Arts is doing business in Texas, and on information and belief, has a principal place of business at 209 Redwood Shores Pkwy., Redwood City. Electronic Arts may be served with process by serving its registered agent, National Corporate Research, Ltd., 800 Brazos St. Suite 400, Austin, TX 78701.
12. Enterprise, on information and belief, is a corporation organized and existing under the laws of the State of Montana. Enterprise is doing business in Texas, and on information and belief, has a principal place of business at 600 Corporate Park Drive, St. Louis, MO 63105. Enterprise may be served with process by serving its registered agent, CT Corporation System, 350 N. Saint Paul St., Dallas, TX 75201.
13. Facebook, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Facebook is doing business in Texas, and on information and belief, has a principal place of business at 156 University Ave., Palo Alto, CA 94301. Facebook may be served with process by serving its registered agent, CSC – Lawyers Incorporating Service Company, 211 E 7<sup>th</sup> St. Ste. 620, Austin, TX 78701.
14. Gannett, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Gannett is doing business in Texas, and on information and belief, has a principal place of business at 7950 Jones Branch, McLean, VA 22108. Gannett may be

served with process by serving its registered agent, CT Corporation System, 350 N. Saint Paul St., Dallas, TX 75201.

15. HBO, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. HBO is doing business in Texas, and on information and belief, has a principal place of business at 1100 Avenue of the Americas, NY, NY 10036. HBO may be served with process by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.
16. HSN, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. HSN is doing business in Texas and, on information and belief, has a principal place of business at 1 HSN Dr., St. Petersburg, FL 32729. HSN may be served with process by serving its registered agent, National Registered Agent, Inc., 160 Greentree Dr. Suite 101, Dover, DE 19904.
17. Intuit, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Intuit is doing business in Texas, and, on information and belief, has a principal place of business at 2632 Marine Way, Mountain View, CA 94043. Intuit may be served with process by serving its registered agent, the Prentice-Hall Corporation System, 211 E. 7<sup>th</sup> St. Ste. 620, Austin, TX 78701.
18. Linkedin, on information and belief, is a corporation organized and existing under the laws of Delaware. Linkedin is doing business in Texas, and on information and belief, has a principal place of business at 2029 Stierlin Court, Mountain View, CA 94043. Linkedin may be served with process by serving its registered agent, Corporation Service Company, 2711 Centerville Rd., Suite 400, Wilmington, DE 19808.

19. Monster, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Monster is doing business in Texas, and on information and belief, has a principal place of business at 622 Third Avenue, 39<sup>th</sup> Floor, New York, NY 10017. Monster may be served with process by serving its registered agent, CSCS Lawyers Incorporating Service Company, 211 E. 7<sup>th</sup> St., Ste. 620, Austin, TX 78701.
20. MSNBC, on information and belief, is a limited liability company organized and existing under the laws of the State of Delaware. MSNBC is doing business in Texas, and on information and belief, has a principal place of business at 30 Rockefeller Plaza, New York, NY 10112. MSNBC may be served with process by serving its registered agent, Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808.
21. Myspace, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Myspace is doing business in Texas, and, on information and belief, has a principal place of business at 10201 W. Pico Blvd., Los Angeles, CA 90035. Myspace may be served with process by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801.
22. NBC, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. NBC is doing business in Texas, and on information and belief, has a principal place of business at 30 Rockefeller Plaza, New York, NY 10112. NBC may be served with process by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801.
23. Newegg, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Newegg is doing business in Texas, and on information and belief,

has a principal place of business at 16839 East Gale Avenue, City of Industry, CA 91745. Newegg may be served with process by serving its registered agent, Corporation Service Company, 2711 Centerville Rd., Suite 400, Wilmington, DE 19808.

24. Nissan, on information and belief, is a corporation organized and existing under the laws of the State of California. Nissan is doing business in Texas, and on information and belief, has a principal place of business at One Nissan Way, Franklin, TN 37067. Nissan may be served with process by serving its registered agent, LexisNxis Document Solutions, Inc., 211 E. 7<sup>th</sup> St., Suite 620, Austin, TX 78701.
25. Office Max, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Office Max is doing business in Texas, and on information and belief, has a principal place of business at 263 Shuman Blvd., Naperville, IL 60563. Office Max may be served with process by serving its registered agent, CSC – Lawyers Incorporating Service Company, 211 E 7<sup>th</sup> St. Ste. 620, Austin, TX 78701.
26. Overstock, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Overstock is doing business in Texas, and on information and belief, has a principal place of business at 6350 South 3000 East, Salt Lake City, UT 84121. Overstock may be served with process by serving its registered agent, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801.
27. Red Hat, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Red Hat is doing business in Texas, and on information and belief, has a principal place of business at 1801 Varsity Dr. Raleigh, NC, 27606. Red Hat may be served with process by serving its registered agent, C T Corporation System, 350 N. Saint Paul St. Ste 2900, Dallas, TX 75201.

28. Salesforce.com, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Salesforce.com is doing business in Texas, and on information and belief, has a principal place of business at The Landmark at One Market, Suite 300, San Francisco, CA 94105. It may be served with process by serving its registered agent, CT Corporation System, 350 N. Saint Paul St., Dallas, TX 75201.
29. Sears, on information and belief, is a corporation organized and existing under the laws of the State of New York. Sears is doing business in Texas, and on information and belief, has a principal place of business at 3333 Beverly Road, Hoffman Estates, IL 60179. It may be served with process by serving its registered agent, CT Corp. System, 350 N. St. Paul St., Dallas, TX 75201.
30. Staples, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Staples is doing business in Texas, and on information and belief, has a principal place of business at 500 Staples Drive, Framingham, MA 01702. Staples may be served with process by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801.
31. Starwood, on information and belief, is a corporation organized and existing under the laws of the State of Maryland. Starwood is doing business in Texas, and on information and belief, has a principal place of business at 1111 Westchester Avenue, White Plains, NY 10604. Starwood may be served with process by serving its registered agent, CT Corporation System, 350 N. Saint Paul St., Dallas, TX 75201.
32. Target, on information and belief, is a corporation organized and existing under the laws of the State of Minnesota. Target is doing business in Texas, and on information and belief, has a principal place of business at 1000 Nicollet Mall TPN 0945, Minneapolis,

MN 55403. Target may be served with process by serving its registered agent, the CT Corporation System, 350 North St. Paul St., Dallas, TX 75201.

33. Thomson Reuters, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Thomson Reuters is doing business in Texas, and on information and belief, has a principal place of business at 3 Times Square, New York, NY 10036. Thomson Reuters may be served with process by serving its registered agent, Lawyers Incorporating Service Company, 211 E. 7<sup>th</sup> St., Ste. 620, Austin, TX 78701.
34. Ticketmaster, on information and belief, is a limited liability corporation organized under the laws of the State of Virginia. Ticketmaster is doing business in Texas, and on information and belief, has a principal place of business at 8800 W. Sunset Blvd, West Hollywood, CA 90069. Ticketmaster may be served with process by serving its registered agent, National Registered Agents, Inc., 16055 Space Center Blvd., Suite 235, Houston, TX 77062.
35. Time, on information and belief, is a corporation organized under the laws of the State of Delaware. Time is doing business in Texas, and on information and belief, has a principal place of business at 1 Time Warner Center, 16<sup>th</sup> Floor, New York, NY 10019. Time may be served with process by serving its registered agent, CT Corporation System, 350 N. Saint Paul St., Dallas, TX 75201.
36. Wal-Mart, on information and belief, is a corporation organized under the laws of the State of Delaware. Wal-Mart is doing business in Texas, and, on information and belief, has a principal place of business at 702 SW 8<sup>th</sup> Street Dept 8687 #0555, Bentonville, AR 72716-0555. Wal-Mart may be served with process by serving its registered agent, the CT Corporation System, 350 North St. Paul St., Dallas, TX 75201.

37. Wyndham, on information and belief, is a corporation organized and existing under the laws of the State of Delaware. Wyndham is doing business in Texas, and on information and belief, has a principal place of business at 22 Sylvan Way, Parsippany, NJ 07054. Wyndham may be served with process by serving its registered agent, CSC – Lawyers Incorporating Service Company, 211 E. 7<sup>th</sup> St. Ste. 620, Austin, TX 78701.

#### **JURISDICTION & VENUE**

38. This is an action for infringement of a United States patent. Accordingly, this action arises under the patent laws of the United States of America, 35 U.S.C. § 1 et. seq. and jurisdiction is properly based on Title 35 United States Code, particularly § 271, and title 28 United States Code, particularly § 1338(a).
39. Venue is proper in this court under Title 28 United States Code § 1391(b) and 1400(b).

#### **PATENT INFRINGEMENT COUNT**

40. On March 24, 2009, United States Reissue Patent No. RE40,683 (“the RE‘683 patent”), a reissue of United States Patent No. 6,253,198, entitled “Process for Maintaining Ongoing Registration for Pages on a Given Search Engine” was duly and legally issued. A true and correct copy of the RE‘683 patent is attached as Exhibit A. The RE‘683 patent is directed to the process of developing and maintaining the content of Internet search engine databases.
41. Pursuant to 35 U.S.C. § 282, the above-listed United States Patent is presumed valid.
42. Alan Perkins is the inventor of the RE‘683 patent.
43. Site Update Solutions has full and complete title of the RE‘683 patent by mesne assignment from Alan Perkins, the named inventor. assignment from
44. Accor, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.motel6.com](http://www.motel6.com), by using an XML Sitemap

(“Sitemap”) and submitting it to various search engines. By utilizing such systems Accor has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.

45. Adobe, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.adobe.com](http://www.adobe.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Adobe has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.
46. Amazon, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.amazon.com](http://www.amazon.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Amazon has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.
47. ABC, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.abc.com](http://www.abc.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems ABC has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.
48. CBS, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.cbs.com](http://www.cbs.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems CBS has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.

49. CDW, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.cdw.com](http://www.cdw.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems CDW has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE’683 patent.
50. Choice Hotels, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.choicehotels.com](http://www.choicehotels.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Choice Hotels has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE’683 patent.
51. CNN, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.cnn.com](http://www.cnn.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Choice Hotels has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE’683 patent.
52. Daily News, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.nydailynews.com](http://www.nydailynews.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems DailyNews has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE’683 patent.
53. Deli Management , on information and belief, updates internet search engine databases with current content from its websites, including at least [www.jasonsdeli.com](http://www.jasonsdeli.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems

Deli Management has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE'683 patent.

54. Electronic Arts, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.pogo.com](http://www.pogo.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Electronic Arts has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE'683 patent.
55. Enterprise, on information and belief, updates internal search engine databases with current content from its websites, including at least [www.enterprise.com](http://www.enterprise.com), by using a Sitemap and submitting it to various search engines. By utilizing such systems Enterprise has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE'683 patent.
56. Facebook, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.facebook.com](http://www.facebook.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Facebook has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE'683 patent.
57. Gannett, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.usatoday.com](http://www.usatoday.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Gannett has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE'683 patent.

58. HBO, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.hbo.com](http://www.hbo.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems HBO has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE’683 patent.
59. HSN, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.hsn.com](http://www.hsn.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems HSN has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE’683 patent.
60. Intuit, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.intuit.com](http://www.intuit.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Intuit has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE’683 patent.
61. Linkedin, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.linkedin.com](http://www.linkedin.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Linkedin has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE’683 patent.
62. Monster, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.monster.com](http://www.monster.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Monster

has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE'683 patent.

63. MSNBC, on information and belief, updated internet search engine databases with current content from its websites, including at least [www.msnbc.com](http://www.msnbc.com), by using an XML Sitemap and submitting it to various search engines. By utilizing such systems MSNBC has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE'683 patent.
64. Myspace, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.myspace.com](http://www.myspace.com), by using an XML Sitemap ("Sitemap") and submitting it to various search engines. By utilizing such systems Myspace has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE'683 patent.
65. NBC, on information and belief, updates internet search engine databases with current content from its websites, including at least nbcsports.com and cnbc.com by using an XML Sitemap ("Sitemap") and submitting it to various search engines. By utilizing such systems NBC has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE'683 patent.
66. Newegg, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.newegg.com](http://www.newegg.com), by using an XML Sitemap ("Sitemap") and submitting it to various search engines. By utilizing such systems Newegg has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE'683 patent.

67. Nissan, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.nissanusa.com](http://www.nissanusa.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Nissan has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.
68. Office Max, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.officemax.com](http://www.officemax.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Office Max has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.
69. Overstock, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.overstock.com](http://www.overstock.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Overstock has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.
70. Red Hat, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.bugzilla.redhat.com](http://www.bugzilla.redhat.com), <http://magazine.redhat.com>, and <http://press.redhat.com>, by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Red Hat has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.
71. Salesforce.com, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.salesforce.com](http://www.salesforce.com), by using an XML

Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Salesforce.com has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.

72. Sears, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.sears.com](http://www.sears.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Sears has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.
73. Staples, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.staples.com](http://www.staples.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Staples has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.
74. Starwood, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.starwood.com](http://www.starwood.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Starwood has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.
75. Target, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.target.com](http://www.target.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Target has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE‘683 patent.

76. Thomson Reuters, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.reuters.com](http://www.reuters.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Thomson Reuters has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE’683 patent.
77. Ticketmaster, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.ticketmaster.com](http://www.ticketmaster.com) and [www.livenation.com](http://www.livenation.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Ticketmaster has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE’683 patent.
78. Time, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.time.com](http://www.time.com) and [www.sportsillustrated.com](http://www.sportsillustrated.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Time has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE’683 patent.
79. Wal-Mart, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.walmart.com](http://www.walmart.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems Wal-Mart has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE’683 patent.
80. Wyndham, on information and belief, updates internet search engine databases with current content from its websites, including at least [www.super8.com](http://www.super8.com), by using an XML Sitemap (“Sitemap”) and submitting it to various search engines. By utilizing such systems

Wyndham has in the past and continues to infringe either alone or conjunctively with others at least claim 8 of the RE'683 patent.

81. The Defendants' infringement of the RE'683 patent alleged above has injured Site Update Solutions and thus, it is entitled to recover damages adequate to compensate for the Defendants' infringement, which in no event can be less than a reasonable royalty.

**DEMAND FOR JURY TRIAL**

82. Site Update Solutions hereby demands a jury trial on all claims and issues triable of right by a jury.

**PRAYER FOR RELIEF**

Wherefore, Site Update Solutions prays for entry of judgment:

A. that Defendants, Accor, Adobe, Amazon, ABC, CBS, CDW, Choice Hotels, CNN, Daily News, Electronic Arts, Enterprise, Facebook, Gannett, HBO, HSN, Intuit, Deli Management, Linkedin, Monster, MSNBC, Myspace, NBC, Newegg, Nissan, Office Max, Overstock, Red Hat, Salesforce.com, Sears, Staples, Starwood, Target, Thomson, Ticketmaster, Time, Wal-Mart and Wyndham have infringed one or more claims of the RE'683 patent;

B. that Defendants, Accor, Adobe, Amazon, ABC, CBS, CDW, Choice Hotels, CNN, Daily News, Electronic Arts, Enterprise, Facebook, Gannett, HBO, HSN, Intuit, Deli Management, Linkedin, Monster, MSNBC, Myspace, NBC, Newegg, Nissan, Office Max, Overstock, Red Hat, Salesforce.com, Sears, Staples, Starwood, Target, Thomson, Ticketmaster, Time , Wal-Mart and Wyndham account for and pay to Site Update Solutions all damages caused by the infringement of the RE'683 patent, which by statute can be no less than a reasonable royalty;

C. that Site Update Solutions be granted pre-judgment and post-judgment interest on the damages caused to it by reason of Defendants', Accor, Adobe, Amazon, ABC, CBS, CDW, Choice

Hotels, CNN, Daily News, Electronic Arts, Enterprise, Facebook, Gannett, HBO, HSN, Intuit, Deli Management, Linkedin, Monster, MSNBC, Myspace, NBC, Newegg, Nissan, Office Max, Overstock, Red Hat, Salesforce.com, Sears, Staples, Starwood, Target, Thomson, Ticketmaster, Time , Wal-Mart and Wyndham's infringement of the RE'683 patent;

- D. that Site Update Solutions be granted its attorneys' fees in this action;
- E. that costs be awarded to Site Update Solutions;
- F. that Site Update Solutions be granted such other and further relief as the Court may deem just and proper under the current circumstances.

*DATED: August 18, 2010*

Respectfully submitted,

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**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on August 18, 2010. Any other counsel of record will be served by first class U.S. mail.

/s/ Edward W. Goldstein  
Edward W. Goldstein